

Senate Amendment 3234

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1 1 Amend House File 805, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 4, by inserting after line 30 the
1 4 following:
1 5 <Sec. _____. NEW SECTION. 321.179 DRIVER EDUCATION
1 6 == TEACHING PARENT.
1 7 1. TEACHING PARENT. As an alternative to the
1 8 driver education requirements under section 321.178, a
1 9 teaching parent may instruct a student in a driver
1 10 education course that meets the requirements of this
1 11 section and provide evidence that the requirements
1 12 under this section have been met.
1 13 2. DEFINITIONS. For purposes of this section:
1 14 a. "Approved course" means driver education
1 15 curriculum approved by the department pursuant to
1 16 rules adopted under chapter 17A. An approved course
1 17 shall, at a minimum, meet the requirements of
1 18 subsection 3 and be appropriate for teaching=
1 19 parent-directed driver education and related street or
1 20 highway instruction. Driver education materials that
1 21 meet or exceed standards established by the department
1 22 for an approved course in driver education for a
1 23 public or private school shall be approved unless
1 24 otherwise determined by the department. The list of
1 25 approved courses shall be posted on the department's
1 26 internet website.
1 27 b. "Student" means a person between the ages of
1 28 fourteen and twenty-one years who is within the
1 29 custody and control of the teaching parent and who
1 30 satisfies preliminary licensing requirements of the
1 31 department.
1 32 c. "Teaching parent" means a parent, guardian, or
1 33 legal custodian of a student who is currently
1 34 providing competent private instruction to the student
1 35 pursuant to section 299A.2 or 299A.3 and who provided
1 36 such instruction to the student during the previous
1 37 year; who has a valid driver's license, other than a
1 38 motorized bicycle license or a temporary restricted
1 39 license, that permits unaccompanied driving; and who
1 40 has maintained a clear driving record for the previous
1 41 two years. For purposes of this paragraph, "clear
1 42 driving record" means the individual has not been
1 43 identified as a candidate for suspension of a driver's
1 44 license under the habitual offender provisions of the
1 45 department's regulations; is not subject to a driver's
1 46 license suspension, revocation, denial, cancellation,
1 47 disqualification, or bar; and has no record of a
1 48 conviction for a moving traffic violation determined
1 49 to be the cause of a motor vehicle accident.
1 50 3. COURSE OF INSTRUCTION.
2 1 a. An approved course administered by a teaching
2 2 parent shall consist of, but not be limited to, the
2 3 following:
2 4 (1) Thirty clock hours of classroom instruction.
2 5 (2) Forty hours of street or highway driving
2 6 including four hours of driving after sunset and
2 7 before sunrise while accompanied by the teaching
2 8 parent.
2 9 (3) Four hours of classroom instruction concerning
2 10 substance abuse.
2 11 (4) A minimum of twenty minutes of instruction
2 12 concerning railroad crossing safety.
2 13 (5) Instruction relating to becoming an organ
2 14 donor under the revised uniform anatomical gift Act as
2 15 provided in chapter 142C.
2 16 (6) Instruction providing an awareness about
2 17 sharing the road with bicycles and motorcycles.
2 18 b. The content of the course of instruction
2 19 required under this subsection shall be equivalent to
2 20 that required under section 321.178. However,
2 21 reference and study materials, physical classroom
2 22 requirements, and extra vehicle safety equipment
2 23 required for instruction under section 321.178 shall
2 24 not be required for the course of instruction provided

2 25 under this section.
2 26 4. COURSE COMPLETION AND CERTIFICATION. Upon
2 27 application by a student for an intermediate license,
2 28 the teaching parent shall provide evidence showing the
2 29 student's completion of an approved course and
2 30 substantial compliance with the requirements of
2 31 subsection 3 by affidavit signed by the teaching
2 32 parent on a form to be provided by the department.
2 33 The evidence shall include all of the following:
2 34 a. Documentation that the instructor is a teaching
2 35 parent as defined in subsection 2.
2 36 b. Documentation that the student is receiving
2 37 competent private instruction under section 299A.2 or
2 38 the name of the school district within which the
2 39 student is receiving instruction under section 299A.3.
2 40 c. The name of the approved course completed by
2 41 the student.
2 42 d. An affidavit attesting to satisfactory
2 43 completion of course work and street or highway
2 44 driving instruction.
2 45 e. Copies of written tests completed by the
2 46 student.
2 47 f. A statement of the number of classroom hours of
2 48 instruction.
2 49 g. A log of completed street or highway driving
2 50 instruction including the dates when the lessons were
3 1 conducted, the student's and the teaching parent's
3 2 name and initials noted next to each entry, notes on
3 3 driving activities including a list of driving
3 4 deficiencies and improvements, and the duration of the
3 5 driving time for each session.
3 6 5. INTERMEDIATE LICENSE. Any student who
3 7 successfully completes an approved course as provided
3 8 in this section, passes a driving test to be
3 9 administered by the department, and is otherwise
3 10 qualified under section 321.180B, subsection 2, shall
3 11 be eligible for an intermediate license pursuant to
3 12 section 321.180B. Twenty of the forty hours of street
3 13 or highway driving instruction required under
3 14 subsection 3, paragraph "a", subparagraph (2), may be
3 15 utilized to satisfy the requirement of section
3 16 321.180B, subsection 2.
3 17 6. FULL LICENSE. A student must comply with
3 18 section 321.180B, subsection 4, to be eligible for a
3 19 full driver's license pursuant to section 321.180B.
3 20 Sec. _____. Section 321.180B, subsection 2, Code
3 21 2009, is amended to read as follows:
3 22 2. INTERMEDIATE LICENSE.
3 23 a. The department may issue an intermediate
3 24 driver's license to a person sixteen or seventeen
3 25 years of age who possesses an instruction permit
3 26 issued under subsection 1 or a comparable instruction
3 27 permit issued by another state for a minimum of six
3 28 months immediately preceding application, and who
3 29 presents an affidavit signed by a parent or guardian
3 30 on a form to be provided by the department that the
3 31 permittee has accumulated a total of twenty hours of
3 32 street or highway driving of which two hours were
3 33 conducted after sunset and before sunrise and the
3 34 street or highway driving was with the permittee's
3 35 parent, guardian, instructor, a person certified by
3 36 the department, or a person at least twenty-five years
3 37 of age who had written permission from a parent or
3 38 guardian to accompany the permittee, and whose driving
3 39 privileges have not been suspended, revoked, or barred
3 40 under this chapter or chapter 321J during, and who has
3 41 been accident and violation free continuously for, the
3 42 six-month period immediately preceding the application
3 43 for an intermediate license. An applicant for an
3 44 intermediate license must meet the requirements of
3 45 section 321.186, including satisfactory completion of
3 46 driver education as required in section 321.178 or
3 47 321.179, and payment of the required license fee
3 48 before an intermediate license will be issued.
3 49 b. A person issued an intermediate license must
3 50 limit the number of passengers in the motor vehicle
4 1 when the intermediate licensee is operating the motor
4 2 vehicle to the number of passenger safety belts.
4 3 c. Except as otherwise provided, a person issued
4 4 an intermediate license under this subsection who is
4 5 operating a motor vehicle between the hours of

4 6 twelve=thirty a.m. and five a.m. must be accompanied
4 7 by a person issued a driver's license valid for the
4 8 vehicle operated who is the parent or guardian of the
4 9 permittee, a member of the permittee's immediate
4 10 family if the family member is at least twenty=one
4 11 years of age, an approved driver education instructor,
4 12 a prospective driver education instructor who is
4 13 enrolled in a practitioner preparation program with a
4 14 safety education program approved by the state board
4 15 of education, or a person at least twenty=five years
4 16 of age if written permission is granted by the parent
4 17 or guardian, and who is actually occupying a seat
4 18 beside the driver. However, a licensee may operate a
4 19 vehicle to and from school=related extracurricular
4 20 activities and work without an accompanying driver
4 21 between the hours of twelve=thirty a.m. and five a.m.
4 22 if such licensee possesses a waiver on a form to be
4 23 provided by the department. An accompanying driver is
4 24 not required between the hours of five a.m. and
4 25 twelve=thirty a.m.>
4 26 #2. Title page, line 4, by inserting after the
4 27 words <road fund> the following: <, and providing for
4 28 driver education instruction by a teaching parent>.
4 29 #3. By renumbering as necessary.
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4 33 _____
4 34 RANDY FEENSTRA
4 35 HF 805.205 83
4 36 dea/dea/22607